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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,864	07/16/2003	Ethan R. Bradford	TEGI0011	1754

22862	7590	09/28/2007
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025		

EXAMINER	
SPOONER, LAMONT M	

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
09/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/621,864		BRADFORD ET AL.	
	Examiner		Art Unit	
	Lamont M. Spooner		2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-16,19-31,34,45,48,59 and 60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-16,19-31,34,45,48,59 and 60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Introduction

1. This office action is in response to applicant's amendment filed on 7/24/07. Claims 1, 4-16, 19-31, 34, 45, 48, 59 and 60 are currently pending and have been examined.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 4-16, 19-31, 34, 45 and 48 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 4-16, 19-31, 34, 45, 48, 59 and 60 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

More specifically, in claims 1, 16, and 59, applicant amendment provides claims directed towards information "overridden by any existing" and thus is without limit or bound, and thus renders the claims indefinite.

Furthermore, in claims 1, 16 applicant's amendment claims "providing a user database (UDB) separate from the LDB which stores defined words that the user specifically enters into the system and which includes a reorder database (RDB) that stores database object numbers;" Applicant further claims, "assigning a dynamic reordering frequency count to words selected by the user and inserting the selected words' assigned reordering frequency counts and object numbers into said reorder database."

However, applicant only teaches of having object numbers, p.8 lines 25-27, as a number in the LDB 505 for words that are contained in the Linguistic Database 401. Therefore, a user defined word, as a word entered specifically by the user, which may not be a word in the LDB, may not contain an object number, and thus the Examiner is unable to determine how or where it is taught that all the words selected by the user from the displayed list contain object numbers, more specifically, contain "the selected words' frequency counts and object numbers." The Examiner has interpreted these amended claim elements as essential to scope and

meaning of the claim, and as explained above, are unclear, indefinite, and confusing. The Examiner is unable to determine a reasonable interpretation of the claims, without parting from the scope of the invention.

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1, 4-15, 16, 19-31, 24, 45 and 48 are rejected under 35

U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

More specifically, in claims 1, 16 applicant's amendment claims "providing a user database (UDB) separate from the LDB which stores defined words that the user specifically enters into the system and which includes a reorder database (RDB) that stores database object numbers;" Applicant further claims, "assigning a dynamic reordering frequency count to words selected by the user and inserting the selected words' assigned reordering frequency counts and object numbers into said reorder

database.” However, applicant only teaches of having object numbers, p.8 lines 25-27, as a number in the LDB 505 for words that are contained in the Linguistic Database 401. Therefore, a user defined word, as a word entered specifically by the user, which may not be a word in the LDB, may not contain an object number, and thus the Examiner is unable to determine how or where it is taught that all the words selected by the user from the displayed list contain object numbers, more specifically, contain “the selected words’ frequency counts and object numbers.” Claim 60, has a similar “stores each word as a key press sequence and a corresponding database object number” limitation.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 59 is rejected under 35 U.S.C. 102(e) as being anticipated by King et al. (King, 6,307,549).

As per **claim 59**, King teaches a method of dynamically reordering a database to display words associated with key presses in an order, based on a user's use of the words, comprising:

providing a fixed linguistic database of words ordered according to a linguistic frequency of use model (C.22 lines 19, 20-his custom vocabulary module source as a fixed linguistic database, as the user is unable to alter the source's linguistic model, C.22 lines 22-28);

providing a user database (ibid-his custom vocabulary module), separate from said linguistic database (ibid-wherein his vocabulary module is separate from another source, inherent by definition of another source/module/library, see also C.10 lines 33-37-his modules a "libraries", sufficient for providing a separation/distinction between a vocabulary module, Fig. 2 item 110, as a composite library), for storing words (ibid-his vocabulary module stores words, see also C.10 lines 38-40), selected by a user and storing frequency of use information for said selected words (ibid-his stored frequency for display of decreasing frequency);

monitoring key presses and retrieving from said databases words which begin with characters corresponding to said key presses (ibid-key presses provided selection list from both modules); displaying a list of

retrieved words in order of their frequencies of use as determined by the frequency of use model overridden by any existing frequency of use information (ibid-his display of selection list);

enabling said user to select a desired word. from the displayed list (ibid-user selection); and

updating the frequency of use information stored in the user database for the selected word (C.22 lines 1-10-user frequency updating for entered word).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571/272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

lms
04/25/07


PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER